

Message Text

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45

ACTION AF-18

INFO OCT-01 EUR-25 ADP-00 AID-20 IGA-02 CIAE-00 DODE-00

PM-09 H-02 INR-09 L-03 NSAE-00 NSC-10 PA-03 RSC-01

PRS-01 SS-14 USIA-12 RSR-01 NIC-01 /132 W

----- 089587

R 191130 Z MAR 73

FM AMEMBASSY FREETOWN

TO SECSTATE WASHDC 8036

INFO AMEMBASSY ABIDJAN

AMEMBASSY CONAKRY

AMEMBASSY LONDON

AMEMBASSY MONROVIA

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E. O. 11652: N/ A

TAGS: PINT, SL

SUBJECT: AMENDMENT OF PUBLIC ORDER ACT PASSED

REF FREETOWN 0277

1. PARLIAMENT HAS PASSED AN AMENDMENT TO THE PUBLIC ORDER ACT (SEE PARA 2 REFTTEL) GIVING PRESIDENT STEVENS THE POWER TO IMPOSE A STATE OF EMERGENCY ANYWHERE IN THE COUNTRY FOR A PERIOD UP TO THREE MONTHS. AMENDMENT GIVES PRESIDENT POWER TO TAKE " SUCH MEASURES" OR IMPOSE " SUCH RESTRICTIONS" AS HE DEEMS NECESSARY TO MEET ANY THREAT HE PERCEIVES TO PUBLIC SAFETY. IT ALSO PROHIBITS ANY LEGAL ACTION WHATSOEVER AGAINST ANYONE WHO HAS ACTED IN EXECUTION OF THE PRESIDENT' S AUTHORITY.

2. WITH THE PASSAGE OF THE AMENDMENT, THE APC GOVERNMENT NOW HAS THE " LEGAL " BASIS TO GO AHEAD AND RIG THE GENERAL ELECTIONS. VIRTUALLY ALL OBSERVERS AGREE THAT AMENDMENT IS UNCONSTITUTIONAL AND VIOLATES ENTRENCHED ARTICLE 3 OF CONSTITUTION WHICH PROVIDES PROTECTION FROM ARBITRARY ARREST OR DETENTION, BUT THAT NO SUCCESSFUL
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COURT ACTION CHALLENGING CONSTITUTIONALITY IS POSSIBLE
UNTIL AFTER ELECTIONS.

3. PARLIAMENT IS NOW ADJOURNED UNTIL MARCH 28, WHEN IT
WILL MEET TO PASS A PENDING SUPPLEMENTAL APPROPRIATION.
ONCE THAT BILL IS PASSED THE EMBASSY EXPECTS IT WILL
DISSOLVE AND THE GENERAL ELECTION WILL BE CALLED FOR
THREE WEEKS LATER, I. E. AROUND APRIL 21. IF THE ELECTION
IS DELAYED UNTIL A LATER DATE IT WILL BE MOST LIKELY DUE
TO APC DIFFICULTIES IN SELECTING CANDIDATES FROM THE RANKS
OF THE HUNDREDS WHO HAVE REQUESTED THE PARTY SYMBOL FOR
THE ELECTION.

4. THE SLPP REMAINS IN DISARRAY WITH NO RECONCILIATION
BETWEEN THE JUSU- SHERIFF AND M. S. MUSTAPHA WINGS OF THE
PARTY. UNITY IN PUBLISHING MARCH 15 AN OPEN LETTER FROM
SIR ALBERT MARGAI TO THE PEOPLE OF SIERRA LEONE CLAIMS
THAT THE FORMER PM WILL DEFINITELY BE HERE FOR THE FORTH-
COMING GENERAL ELECTION. IN THE LETTER MARGAI STATES HE
IS WILLING TO STEP DOWN FROM LIFE LEADERSHIP OF THE SLPP
AND ALLOW THE PEOPLE A FREE CHOICE OF A LEADER AFTER
HAVING HAD THE OPPORTUNITY TO PRESENT HIMSELF FOR THE
POST. MARGAI ALSO TAKES SIDES IN THE CURRENT PARTY
SPLIT BY INSTRUCTING THE PARTY FAITHFUL TO ONLY SUPPORT
THE CANDIDATES PUT UP BY KANDE BUREH AND MUSTAPHA.

5. COMMENT: WHATEVER FALSE OPTIMISM THE OPPOSITION
MAY HAVE HAD THAT IT WOULD HAVE A CHANCE TO UNSEAT THE
APC IN FREE AND FAIR ELECTIONS UNDOUBTEDLY WAS CRUSHED
BY THE PASSAGE OF THE AMENDMENT TO THE PUBLIC ORDER ACT.
THE IRONY OF ITS PASSAGE IS THAT IT HAS FED THE
OPPOSITION' S SENSE OF DESPERATION AND THEREBY INCREASED
THE POTENTIAL FOR VIOLENCE WHEN THE GENERAL ELECTION
DOES TAKE PLACE.
OLSON

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*** Current Classification *** LIMITED OFFICIAL USE

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AF
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LONDON
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